IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3272 OF 2004

Lakhamsi Umarshi Furia @ Shah & others).. Petitioners

Versus

The Union of India & others).. Respondents

Mr.Rajendra Bhandari for the Petitioners.

Mr.Ashok Bathija with Mr.D.A.Dubey for Respondent No.1.

Mr.R.M.Sawant, Government Pleader, for Respondent No.2.

CORAM: V.G. PALSHIKAR AND SMT.NISHITA MHATRE, JJ.

DATED: 19TH JANUARY 2005

P.C.:

. By this Petition, the Petitioners seek interference by the State in the matter of religious practice by Jains in Maharashtra in particular and in India in general. The practice of Balsanyas or becoming Sadhvi or Sadhu is an accepted practice for several centuries amongst those who follow the Jain sect. The sect itself provides for renunciation of Sanyasi status on the child attaining majority. The parents of the child are willing for such religious function. The right to practice religion is available to a child also. This is not a case where complaint is made by a child or on behalf of the child that he is being forced to do or

take Balsanyas. This aspect has been dealt with by a Division Bench of Rajasthan High Court in 1998 where these rights to practice religion were squarely considered. In such circumstances, the present Petitioners have no *locus standi* to maintain this Petition. It is, therefore, dismissed.

(V.G. PALSHIKAR, J.)

(SMT.NISHITA MHATRE, J.)